

Remarks/Arguments:

Preliminary Matters

With the present response, claims 22-30 are under examination, with claims 1-21 and 31-55 having been withdrawn pursuant to a restriction requirement.

The Examiner is thanked for the courtesy of the telephone interview conducted on 15 November 2006, during which it was pointed out to the Examiner that claims 29 and 30 were not addressed in the Detailed Action portion of the September 19, 2006 Office Action. It is noted that the Interview Summary, mailed with the present Supplemental Office Action, omitted the agreement between the Examiner and the undersigned that the present Supplemental Office Action would restart the response period.

In the Office Action Summary, Box 9 is checked, indicating that the Specification is objected to by the examiner. Applicants could find no discussion in the Detailed Action portion of the Office Action regarding the objection to the Specification. Applicants assume that this objection is related to the claim rejections under 35 U.S.C. §112, which will be addressed below.

Drawing Objections

The drawings stand objected to for failing to show every feature of the invention specified in the claims. Specifically, the Office Action recites that "the larger diameter main section and two smaller sections [of the graft], and a flexible member embedded in the temporary covering must be shown or the feature(s) canceled from the claim(s)."

Applicants respectfully submit that FIGS. 9 and 10 show a larger diameter main section 12 and two smaller sections 13, 14 of a graft. Further, claim 30 has been amended to recite "means embedded in said temporary covering for failing said temporary covering." An exemplary embodiment of the recited means embedded in the temporary covering for failing the temporary covering are perforations 903 shown in FIG. 12. Applicants respectfully submit that embodiments of all claimed features are shown in the drawings. Withdrawal of the drawing objections is therefore respectfully requested.

Claim rejections

Claim rejections under 35 U.S.C. §112

Claim 26 stands rejected under 35 U.S.C. §112, first paragraph. The Office Action asserts that claim 26 includes the limitation of "a larger diameter main section and two smaller diameter sections at an axial end of the larger diameter," and that the drawings do not show the limitations, nor was the Examiner able to find in the written description the claimed configuration. Applicants respectfully traverse this rejection.

Applicants respectfully submit that an exemplary graft meeting those limitations is shown in FIGS. 9 and 10, with a larger diameter main section 12 and two smaller diameter sections 13, 14 at an axial end of the larger diameter. Textual support for these limitations may also be found in the Specification, page 8, paragraphs [0036-0037]. In light of this support, Applicants respectfully submit that claim 26 is patentable over the cited prior art. Reconsideration and allowance of claim 26 is respectfully requested.

Claim rejections under 35 U.S.C. §102

Claims 22-25 and 27-30 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,254,628 to Wallace et al. ("Wallace"). Applicants respectfully traverse this rejection.

Claim 22 recites, *inter alia*, a rolled graft, comprising a *generally tubular graft* flattened against itself and rolled onto itself into a cylindrical configuration. Emphasis added. By way of example only, an embodiment of the claimed graft is shown in FIG. 3A. Graft 10 has a continuous cross section, with no beginning or end to the graft material.

In order to anticipate a claim under 35 U.S.C. §102, the reference must teach every element of the claim. M.P.E.P. §2131. Furthermore, "the identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989) and M.P.E.P. §2131.

Wallace discloses several embodiments of stents (grafts) that are all generally *planar* in shape and include axial edges and transverse edges. See, for example, Wallace FIGS. 7-16, which all disclose stents having four sides. These stents are spirally rolled, such as onto an insertion catheter 2, for insertion into a blood vessel. See, for example, Wallace FIG. 3. Wallace fails to disclose or suggest a *generally tubular* graft, as recited in claim 22.

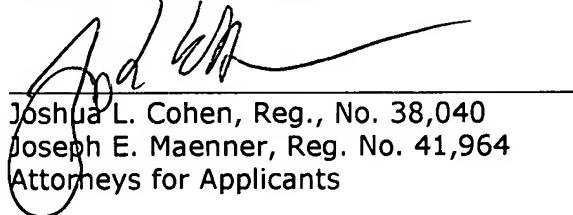
Amendment Dated March 28, 2007
Reply to Office Action of November 28, 2006

Because the cited prior art fails to disclose or suggest all of the limitations of claim 22, notably a *generally tubular* graft, Applicants respectfully submit that the rejection of claim 22 is improper. Claims 23-25 and 27-30 all ultimately depend from claim 22, and Applicants respectfully submit that claims 23-25 and 27-30 are all patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 22. Reconsideration and allowance of claims 22-25 and 27-30 is respectfully requested.

Conclusion

In light of the above amendments and arguments, Applicants respectfully submit that claims 22-30 are in condition for allowance. Prompt reconsideration and allowance is respectfully requested.

Respectfully submitted,



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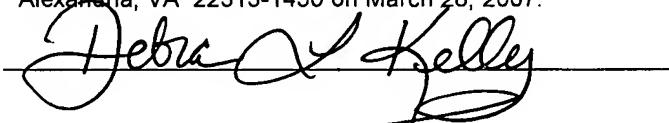
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Dated: March 28, 2007

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 28, 2007:



Debra A. Kelley

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